

REMARKS

Claims 4 and 5 are currently pending in the present application. Both claims are in independent form.

Specifically referring to the Office Action, the priority of the present application with regard to U.S. Serial No. 09/646,737, has not been granted. Please be advised that the previously filed cross-reference section was in error and the present amendment corrects the cross-reference section. Specifically, the present application is a continuation-in-part of U.S. Serial No. 09/646,737 and claims priority to U.S. Provisional No. 60/079,413 and claims priority to PCT/US00/40431, which claims priority to U.S. Provisional No. 60/145,785.

According to the Office Action, the replacement drawing of Figure 10, which was received April 23, 2002, has been held to be unacceptable for failing to be identified as a replacement sheet and does not include all of the figures appearing on the immediate prior version of the sheet. In response thereto, enclosed herewith are replacement drawings for all of the figures (identified as "REPLACEMENT SHEETS"). Additionally included are marked up versions of the previously filed drawings (identified as "ANNOTATED MARKED-UP DRAWINGS"). Please note that the replacement drawings are clearer versions of the originally filed drawings. Reconsideration of the rejection is respectfully requested.

IN THE DRAWINGS:

Please replace the pending drawings (identified as "ANNOTATED MARKED-UP DRAWINGS") with the drawings attached hereto (identified as 'REPLACEMENT SHEETS').

The specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Office Action holds that the structure set forth in claim 4 was not disclosed in the specification. However, the structure set forth in claim 4 is disclosed in Figure 3 of the specification. More specifically, formula 31 sets forth the specific structure. Accordingly, reconsideration of the objection is respectfully requested.

According to the Office Action, the amendments made to the specification set forth in the Preliminary Amendment filed April 23, 2002, have been objected to because there is no support for the amendments (i.e., support for the three branching structures depicted in compounds 29 and 33 of Figure 3 and compound 36 of Figure 4). According to the Office Action, there does not appear to be a depiction of compounds 29 and 33 of Figure 3 because the illustrations are so dark as to preclude providing support for the amendment to the specification. In response thereto, enclosed herewith are replacement drawings that accurately depict the compounds 29 and 33 of Figure 3. Reconsideration of the objection is respectfully requested.

Claim 4 has been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. According to the Office Action, claim 4 recites a chemical compound that comprises a structure. Thus, there is insufficient guidance as to how to make and use this chemical structure in a method of making dendrimer frameworks. In response thereto, the structure, which is an amide connection, has been well-known to those of skill in the art prior to the priority claimed in the present application. The first example of a coupling of an acid (COOH) via DCC (dicyclohexylcarbodiimide) with an amine (CNH₂) to give an amide (CNOC) was set forth in Sheenan, J.C., Hess, G.P., J.A.m. Chem. Soc., 1955,77, 1067. Further, for a review of the article, please see Bodansky and Bodansky, "The Practice of Peptide Synthesis," Springer, New York, 1984. Since this is well-known to those of skill in the art at the time the invention was made, the presently claimed invention does not lack enablement. Reconsideration of the rejection is respectfully requested.

Claims 4 and 5 have been rejected under 35 U.S.C. §112, second paragraph, for being indefinite. Specifically, claims 4 and 5 depict hand drawings of chemical structures that are so crude as to be difficult to interpret. In response thereto, claims 4 and 5 have been amended to replace the hand-drawn chemical structures. Claim 4 has also been rejected with regard to the language “reacting tri-acid.” In response thereto, the term “tri-acid” has been deleted from claim 4. Additionally, claim 4 has been rejected because the “[” renders the claim vague and indefinite. In response thereto, the formulation set forth in claim 4, line 13 has been amended to accurately depict the triple repeating unit being bound to the amine nitrogen.

Claims 4 and 5 have also been rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting the central steps. In response thereto, the omitted steps have been included in the claim pursuant to suggestions set forth in the Office Action. Specifically, the omitted step of “yielding dendrimer frameworks” has been added to claims 4 and 5. Reconsideration of the rejection is respectfully requested.

Claim 5 has been rejected with regard to the language “wherein K is CO₂Et or benzyl” because there is insufficient or uncertain antecedent basis. More specifically, the Examiner holds that it is unclear whether the hand drawing depicts a “K.” In response thereto, claim 5 has been amended to specifically set forth that the structure depicts a “K.” Claim 5 has also been rejected for being vague and indefinite. Specifically, the hand drawing is capable of having more than one meaning. In response thereto, claim 5 has been amended and reconsideration of the rejection is respectfully requested.

Finally, claim 5 has been rejected for various phrases and terms set forth therein, which render the claim vague and indefinite. In response thereto, these terms and phrases have been amended. Specifically, the phrase “reducing to yield a core” has been amended to clearly set forth what is being reduced. Additionally, the phrase with regard to the transforming to a “mesylate,” has been clarified and the term “forms”

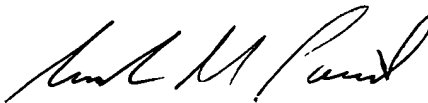
has been replaced with the phrase "thereby forming." Finally, the term "K" has clearly been defined as being CO₂Et or benzyl.

In summary, the present application is now in condition for allowance, which allowance is respectfully requested. If any remaining issues exist, Applicants respectfully request to be contacted by telephone at (248) 539-5050.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

KOHN & ASSOCIATES, PLLC



Andrew M. Parial, Reg. No. 50,382
30500 Northwestern Highway, Suite 410
Farmington Hills, Michigan 48334
(248) 539-5050

Dated: April 26, 2005

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Mailing Label No.: EV 659077575 US

Date of Deposit: April 26, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Connie Herty

.1 / 8



Best Available Copy

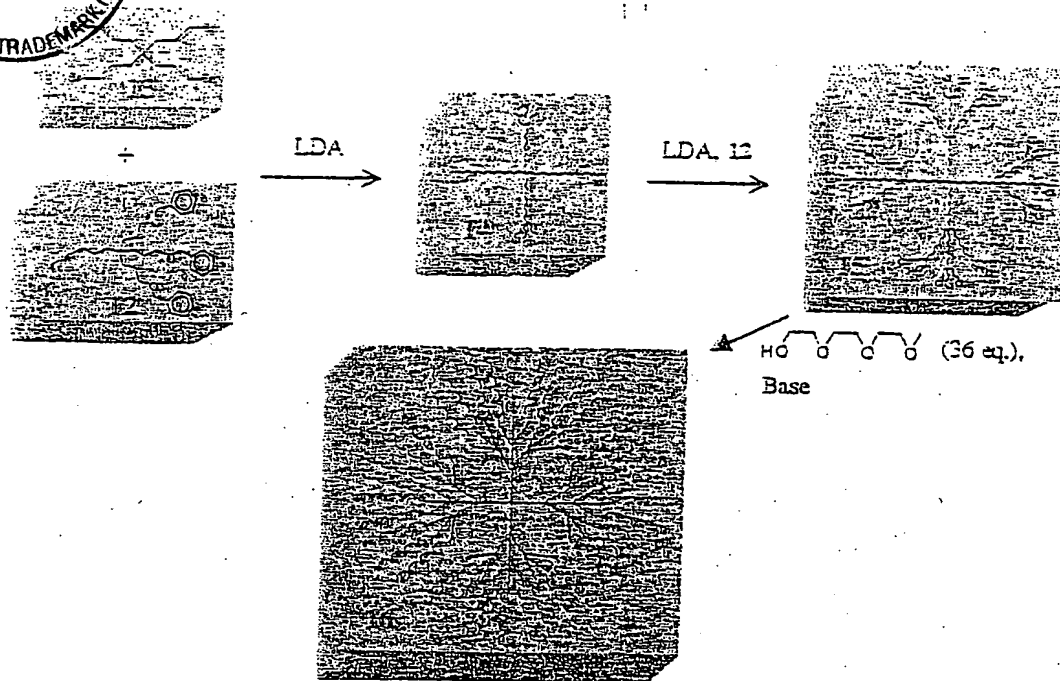


FIGURE 1

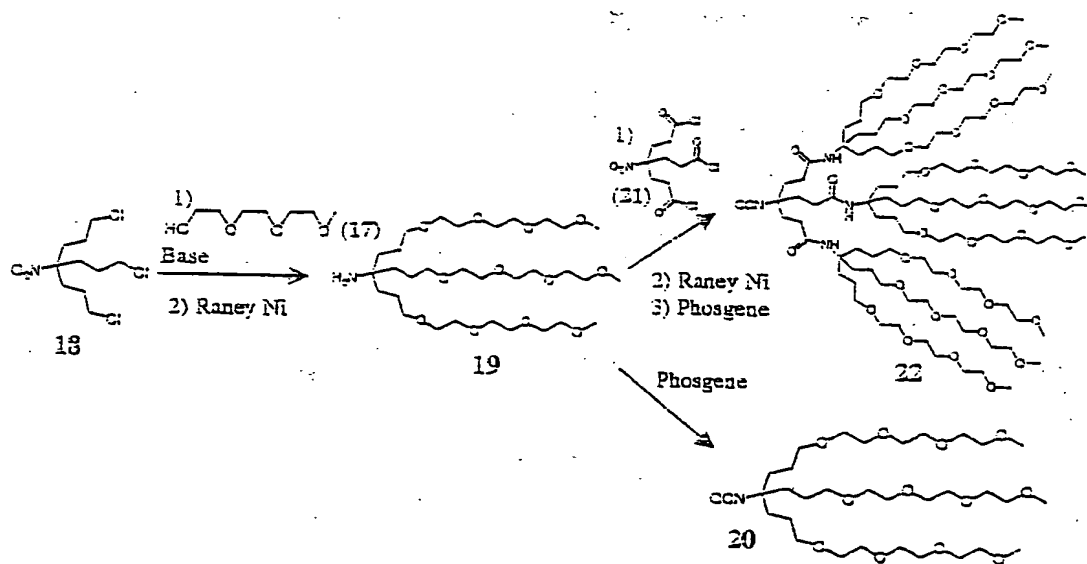


FIGURE 2

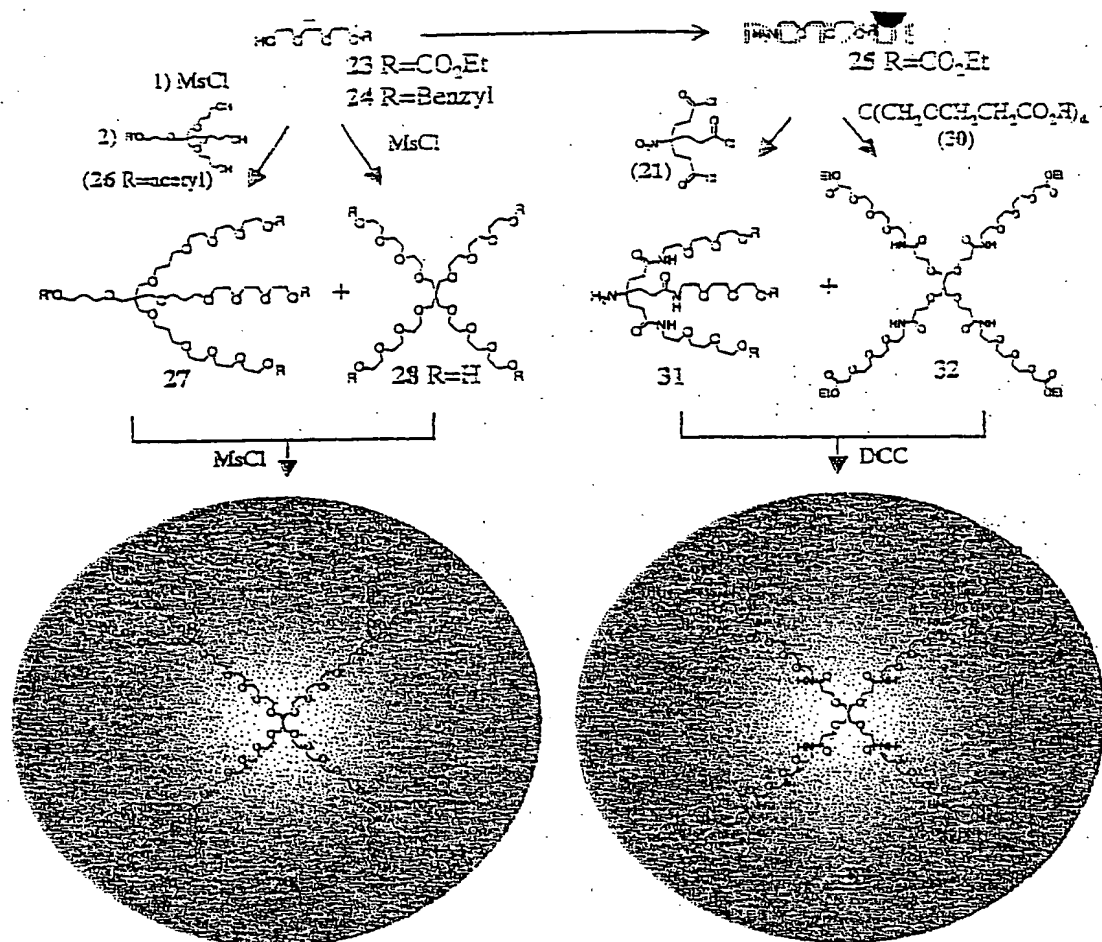


FIGURE 3

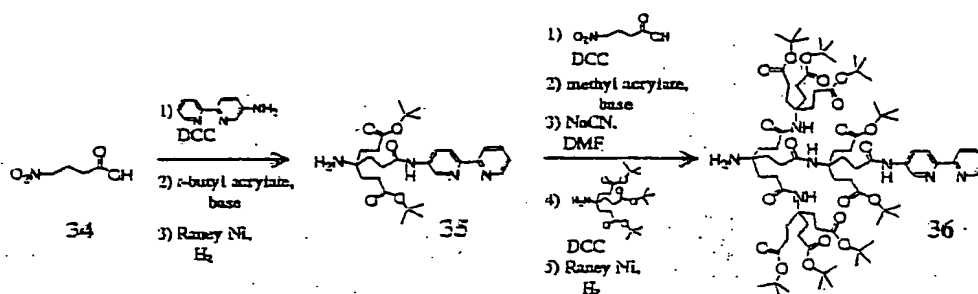


FIGURE 4

Best Available Copy



FIGURE 5

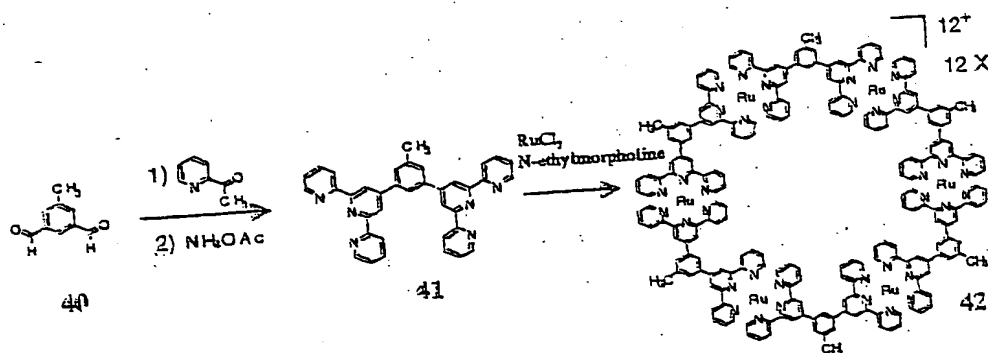


FIGURE 6

Best Available Copy

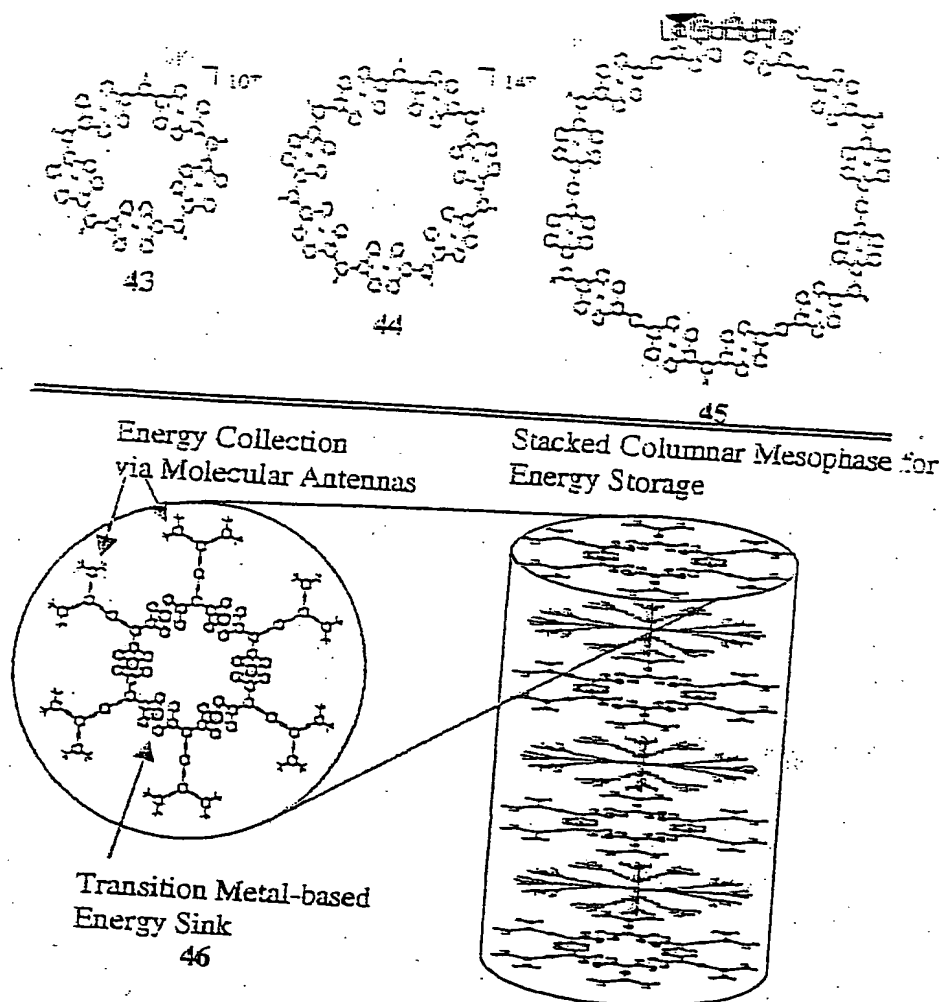


FIGURE 7

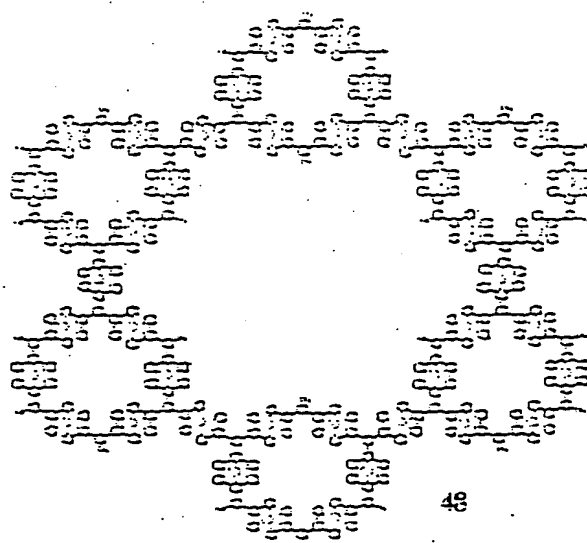


FIGURE 8

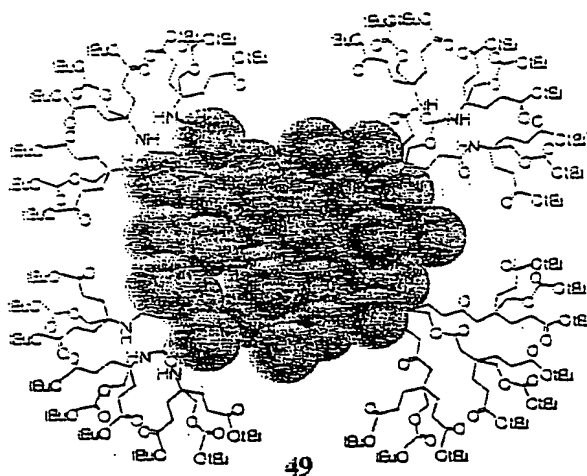


FIGURE 9

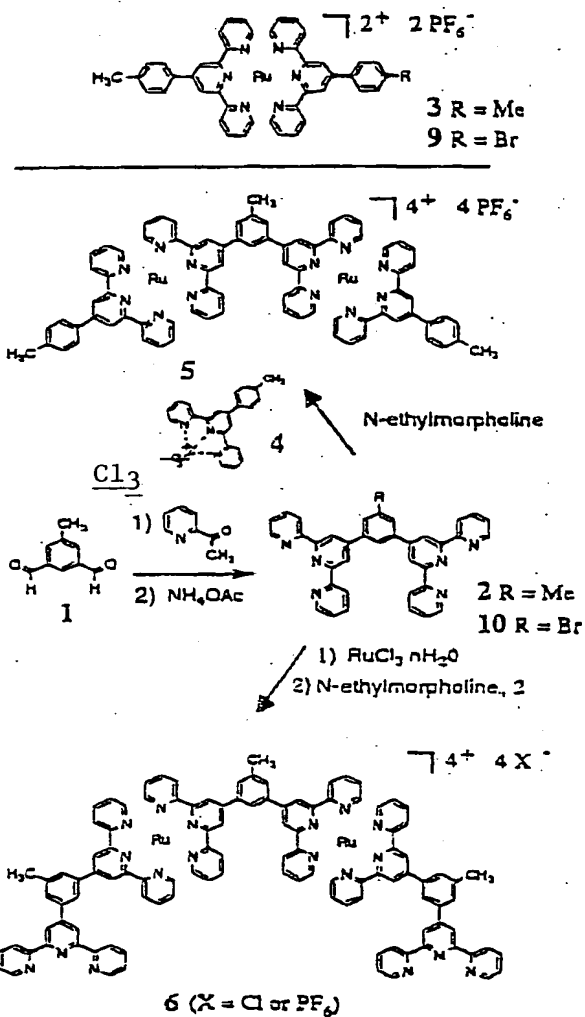


FIGURE 10

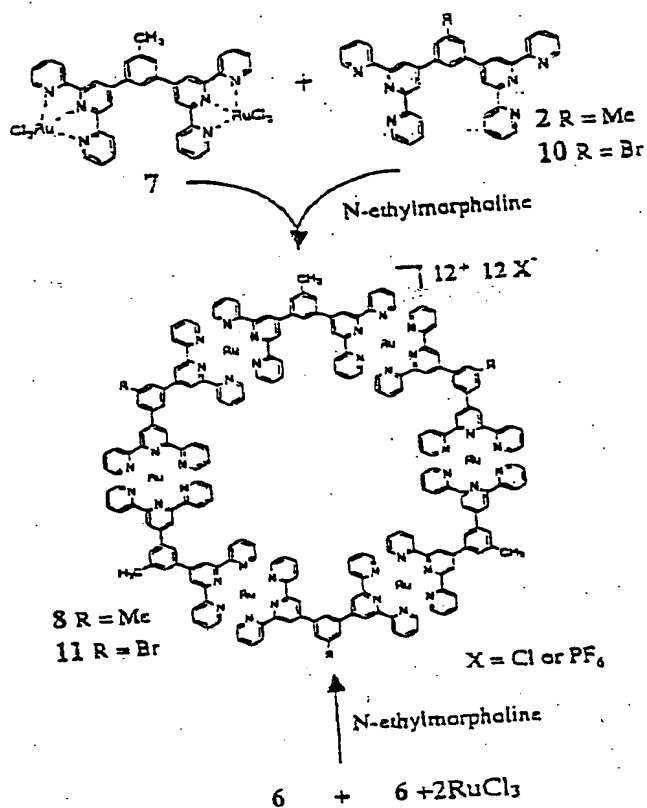


FIGURE 11

Best Available Copy

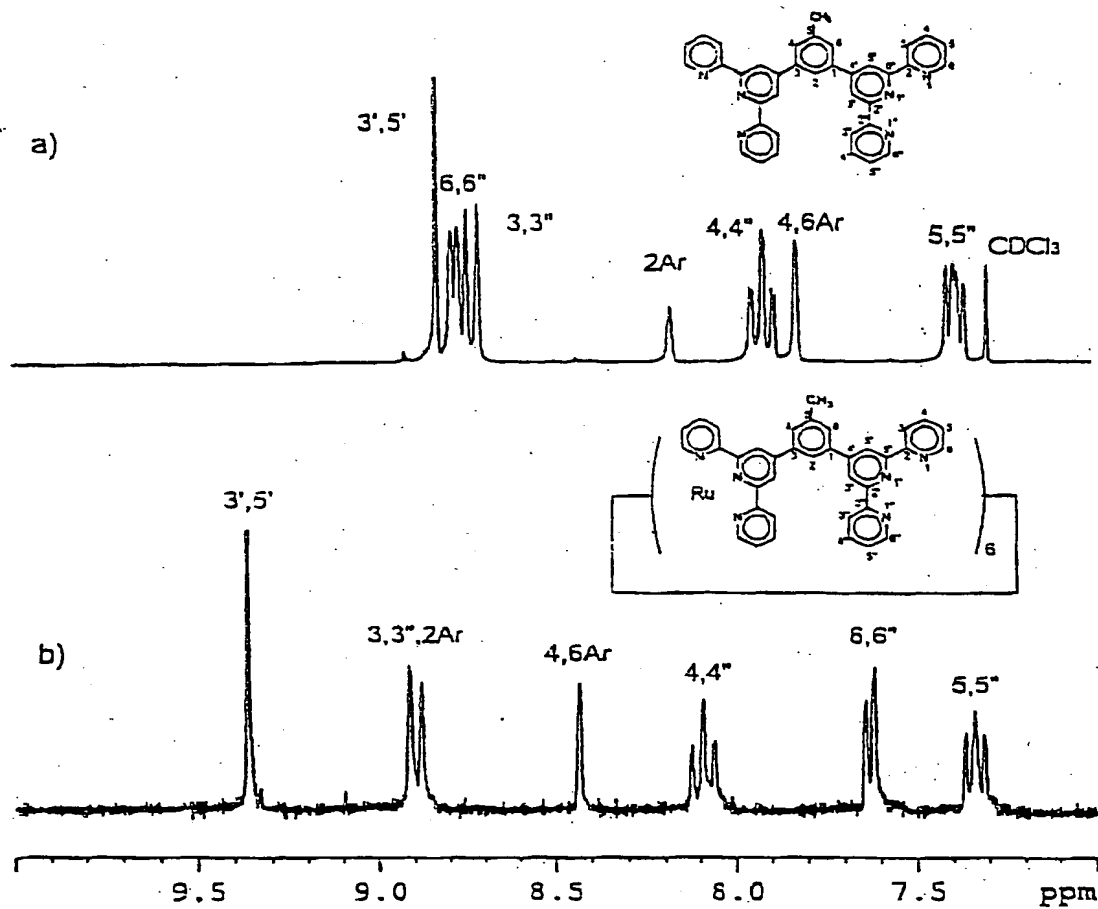
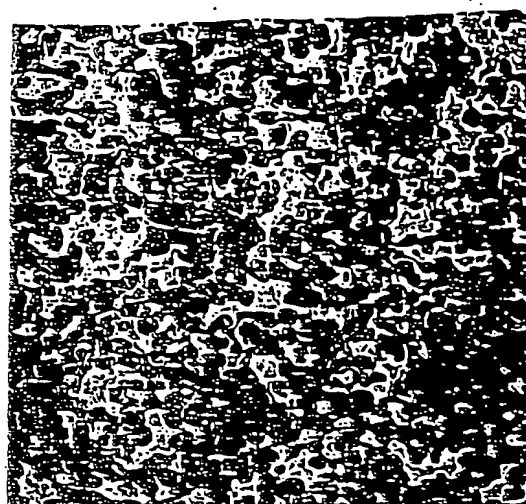


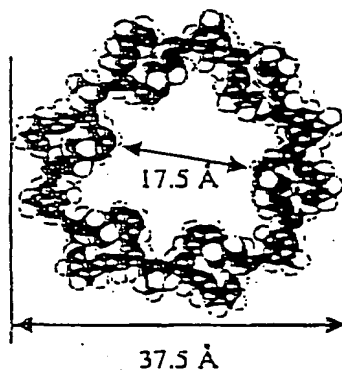
FIGURE 12



2119 X 30,000

a

FIGURE 12A



b

FIGURE 12B